



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.
State Victim Advocate

The OVA's budget deficient has been a major source of concern for myself and my two and half staff members since July 1st, 2009. I have communicated this concern numerous times to both Sec. Generaio and Brian Austin of the Office of Policy and Management over the past nine months. I requested last Fall that the OVA be exempt from further budget reductions as we were already operating at a major deficit and was told that every agency was facing similar budget cuts. However, this is actually not true, because not every agency was under budgeted as the OVA has been this year.

As you will see, the OVA was under budgeted for this fiscal year by 40K. Hence, from July 1st, 2009, the OVA was operating at a deficit. Add to that deficit the continued budget reductions over the past nine months and you will quickly see, short of layoffs, the OVA was destine to run a continued and growing deficit.

You can imagine my surprise, having been so vocal about the OVA's budget concerns, when I was told yesterday after 3pm that I would be called to testify regarding the OVA's budget deficit. I quickly began calling various individuals and agencies, as I was not informed, including OFA and OPM and DAS, and was assured that the OVA was NOT on the agenda for today. In fact if you look at the agenda in today's legislative bulletin, there is no listing for the OVA. As you can see, from my numerous contacts with OPM, I am deeply concerned about the budget deficit and would have liked to be more prepared to offer testimony to advocate for the OVA.

Nonetheless, I am here today, having spent the morning preparing to tell you about the OVA and our budget deficit. I have a chart to illustrate the "actual" costs of personnel expenses. It should be noted that the OVA has already lost one position, a Complaint Officer, in June of 2009, and despite the loss of that position, we are STILL in a deficit. Hence, when you calculate the funds taken for the Complaint Officer and the funds not budgeted to run the Office, the OVA has essentially already suffered a budget cut of over 100K, or one-third of our overall operating costs.

There is much talk lately of whether agencies duplicate services. The OVA is the only agency who can safely critique the criminal justice community and offer recommendations without backlash, for the OVA is independent. So what sort of work does the OVA do?

Here's a synopsis:

The OVA uncovered a section of the state that was charging domestic violence victims with violating their order protective and restraining order. This is not only a legal impossibility but, more importantly, has a chilling effect on domestic violence victims

from seeking protection from the Courts. We learned this practice had been occurring for OVER FIVE years. We were able to resolve this issue, with a commitment from the States' Attorney's Office.

A drunk driving victim interned with the OVA and quickly learned that her Constitutional rights as a crime victim were being violated, even though she was working with a court based advocate. Through assistance of the OVA, she was able to appeal a denial of compensation decision by the OVS to then purchase a prosthetic leg that fit her appropriately among other assistance, such as connecting her with MADD, and determining who the prosecuting attorney would be in her case.

The OVA has uncovered a practice that violates crime victims' rights, which is the Judicial Pre-trial process. Currently in many jurisdictions a plea will be offered to a defendant, in chambers, with only the Judge, prosecuting attorney and defense attorney present. The offer, once voiced, cannot be revoked and therefore, the victim of the crime will be prohibited from providing his or her Constitutionally protected right to provide an meaningful impact statement. We are working with Judicial and the Chief States' Attorney to resolve this issue.

Then there is the recent Magnano Investigative Report which uncovered numerous systemic issues throughout the state that negatively affect domestic violence victims and their plight to safety.

There simply is not other agency who can replicate our work. And, we accomplish these tasks with ONLY a staff of three full time and one part time employees, which includes myself.

At this time I would ask that the OVA's budget be restored to 301K and that in the future the OVA be exempt from budget cuts as a necessary agency or we will be before again next year regarding the 2010 – 2011 budget, already in deficit of 20K as we speak.

Michelle Cruz

**OFFICE OF THE VICTIM ADVOCATE
2009-2010 BUDGET**

OVA Budget	Governor Rec.	Leg. Rec.	OPM Hold backs	Balance	ACTUAL costs	DEFICIT
Personal	326,204.00	260,963.00	<10,314.00>	250,649.00	284,068.00	<33,419.00>
Other expenses	50,050.00	40,020.00	<10,211.00>	29,809.00	29,809.00	
Equipment	100.00	100.00	<5.00>	95.00	95.00	
Agency Total	376,354.00	301,083.00	<20,525.00>	280,553.00	313,972.00	

It is anticipated that the deficit will be much larger due to the lack of funding within the operating expenses. Realistically, the office must be budgeted enough to cover the essentials; many of which have already been cut by the OVA.

**OFFICE OF THE VICTIM ADVOCATE
2010-2011 BUDGET**

OVA Budget	Governor Rec.	Leg. Rec.	OPM Hold backs	Balance	ACTUAL costs est.	DEFICIT
Personal	331,717.00	265,374.00			285,000.00	<19,626.00>
Other expenses	50,050.00	40,020.00				
Equipment	100.00	100.00				
Agency Total	381,867.00	301,083.00				

****The OVA Budget did not/will no cover actual personal expenses, forcing a deficit from day one.**

THE OFFICE OF THE VICTIM ADVOCATE
BUDGET Reduction of 5% for 2011
October 29th, 2009

The Office of the Victim Advocate has been asked to reduce the budget by 5%. The OVA appreciates and is cognizant that the state is suffering a 300 million dollar deficit; however, the impact of a 5% reduction to the budget of the OVA will have devastating affect on the Office.

Over the past year alone the OVA has suffered a loss of over 100K or a third of our overall budget. The OVA is a tiny office and yet we serve the entire state of Connecticut, a state with over 3.5 million¹ residents. According to the United States Department of Justice's Bureau of Justice Statistics, in 2007, there were reported 177,064 crimes involving victims. That's 177K Connecticut residents joining the ranks of crime victims in 2007 alone. However, the OVA currently has only three full time staff persons – a Staff Attorney, a Complaint Officer and the State Victim Advocate and one part-time Office Assistant. We have lost one full time position, a complaint officer, and are currently predicting 60K plus deficit.

A reduction of another 5% percent of the allocated budget, or a reduction of 15K, would essentially cause the OVA to have to lay off two of our staff persons. To reduce the OVA's staff by half, would drastically affect our ability to properly advocate for crime victims. Although every agency director in the state has been asked to provide an impact statement regarding a reduction of 5%, the OVA is uniquely affected due to its staff size and minimal budget. Additionally the OVA has already suffered enormously by last years' 100K reduction of the OVA's budget; the result of last years' reductions have forced the OVA into a deficit which is already affecting the functionality of the OVA. Specifically, the OVA is no longer able to provide materials to the public regarding crime victims' rights, we cannot purchase paper to author letters and requests, we are limited to the transcripts we can requests, and as supplies run out, we cannot replenish them. These are just a few of the daily struggles facing the OVA with our current budget crisis.

The impact of a 5% reduction would devastate the Office of the Victim Advocate. To put this in perspective, the OVA responds to approximately 900 phone calls from crime victims throughout the state as well as responding to referrals from other state agencies and victims service providers for assistance per year. On a daily basis the OVA answers calls from crime victims who are attempting to navigate the confusing and difficult landscape of the criminal justice system. Unfortunately, Connecticut does not have a court based victim advocate in every court at this time. In courts that are fortunate enough to have an advocate, those advocates are out numbered significantly. Most advocates carry case loads in the hundreds or, to put it another way, there is only one advocate for a Judicial District Court (JD) or Geographical Area Court (GA), to respond to hundreds of crime victims. Additionally, the court-based advocates are only authorized to assist crime victims who have suffered a physical injury. Thus, victims of arson, burglary, home invasion, larceny and robbery are not technically authorized to utilize the services of the court-based victim advocates. As a result crime victims often call the OVA for assistance, guidance, and advocacy.

The OVA, in a number of cases, has entered limited special appearances in court to address violations of crime victims' Constitutional Rights. The OVA is the only agency which is authorized and allowed to act in court on behalf of crime victims whose rights are being affected. Judge Damiani recently acknowledged the importance of the OVA when addressing the Petit family tragedy. The Judge recognized that the only office that could provide assistance to the Petit family, when they were contacted by one of the defense attorneys representatives was the Office of the Victim Advocate. "Their (victims) only recourse was to go to the Victim's Advocates Office."

¹ State of Connecticut, Public Health Department, population statistics as of July 1, 2007.

A further reduction of 5%, would gravely affect the OVA's ability to advocate for crime victims in court. The demand for assistance simply cannot be met with a staff of two persons. In fact, the demand cannot be met with the current small staff. The OVA often supplement its staff with interns from local colleges and law schools. However, interns are not always available to augment the staff and respond to the crime victims needs in Connecticut. Additionally, interns, despite their importance to the OVA, simply cannot replace the everyday assignments of the OVA staff.

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